

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
November 23, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Rev. Terri Messner, Ecumenical Christian Ministries
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Distinguished Service Citation
- Proclamations

UNFINISHED BUSINESS

1. Establishment of Wichita Airport Advisory Board.
(Continued from November 16, 1999)

RECOMMENDED ACTION: Approve the establishment and adopt
the Resolution.

NEW BUSINESS

2. Water Supply Plan.

The integrated local Water Supply Plan utilizes several local water supply sources. An update will be provided.

RECOMMENDED ACTION: Receive and file.

- 3a. Agreements for Removal of Railroad Track along Kellogg, west of West Street.
Approve Agreements; adopt resolution.

3. Water Master Plan.
The Water Master Plan serves as a guide for the construction of water supply, treatment, and distribution facilities. An update will be provided.

RECOMMENDED ACTION: Receive and file.

4. Electric Rates - Strategy Update.

RECOMMENDED ACTION: Receive and file.

(3:00 p.m.)

5. Industrial Revenue Bonds - Eaton Place Project. (District I).

The Ordinance authorizing the issuance of Industrial Revenue Bonds in an amount not-to-exceed \$155 million was approved on November 16, 1999. Validity of the bond issue will be completed at 3:00 p.m. with the underwriter pricing of the bonds.

RECOMMENDED ACTION: Adopt the Ordinance.

CITY COUNCIL AGENDA

- 6a. Municipal Court Judge Appointment.

6. Board/Commission Appointments.

RECOMMENDED ACTION: Make the appointments.

7. Proclamations.

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

8. Report of the Board of Bids and Contracts Dated November 22, 1999.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts and authorize the necessary signatures.

9. Applications for License to Retail Cereal Malt Beverages.

<u>Renewal</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Latif F. Abdelmaseh	Abram Café*	6249 East 21 st Street, Suite #108

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the license subject to Staff review and approval.

10. Plans and Specifications:

- a. 1999 Planeview Sanitary Sewer Rehabilitation Phase A - east of Hillside, north of 31st Street South. (468-83051/622226/649334) One lane of traffic in each direction to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/1999. (District III)
- b. 1999 Planeview Sanitary Sewer Reconstruct Phase 1 - east of Hillside, north of 31st Street South. (468-83052/622227/649335) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/1999. (District III)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., December 3, 1999.

- c. 119th Street West Bridge over Calfskin Creek on 119th Street West between Maple and Kellogg. (472-82746/715676/249084) Closed to traffic during construction. (District V)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., December 10, 1999.

11. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

12. Preliminary Estimates:

- a. 1999 contract maintenance pedestrian bridge replacement at 30th Street South & Glenn and Magill & Lawrence - 30th Street South & Glenn, and Magill & Lawrence. (472-83078/131734/n/a) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/24/1998. (Districts II and IV) - \$108,300.00
- b. 1999 enhanced maintenance asphalt crack sealing (706648-I) and joint repair (polypatch) (706648-N) - at various locations. (n/a/706648-I&N/405218) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 10/13/1999. (Districts I, II, III, and V) - \$250,000.00

Item #12 Continued

- c. Main 26, War Industries Sewer - Phase One - north of 21st, west of Greenwich Road. (468-82990/624501/699001) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 9/28/1999. (District II) - \$465,183.20
- d. Lateral 1, Main 26, War Industries Sewer - west of Greenwich Road, at 29th Street North. (468-83037/624502/699002) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 9/28/1999. (District II) - \$166,682.00
- e. 1999 enhanced maintenance increte systems spray-deck commercial overlay system at Central and the Canal, 13th and the Canal and 9th Street North and the Canal - Central, 13th, & 9th Street North & the Canal. (/706648-T/405218) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/24/1998. (District I) - \$50,000.00
- f. 1999 KLINK (FY2000) concrete base repairs, asphalt mill & overlay of westbound lanes on Kellogg (US-54/400) from K.T.A. Overpass west of Webb Road to 127th Street East - Kellogg & Webb. (/132373/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/24/1998. (District II) - \$324,900.00
- g. 29th Street North from the west line of Greenwich Road to 855 feet west of the west line of Greenwich Road to serve Regency Park / Soccer Fields / Baseball Fields - 29th Street North, west of Greenwich. (472-83069/765588/490699) Does not affect existing traffic. City Council approval date: 5/11/1999. (District II) - \$201,600.00
- h. Northeast Soccer Complex parking lot to serve Regency Park / Soccer Fields / Baseball Fields - 29th Street North, west of Greenwich. (472-83139/785000/339131) Does not affect existing traffic. City Council approval date: 5/11/1999. (District II) - \$378,000.00
- i. 1999-2000 CDBG public facilities and improvements (Phase C) pedestrian bridge replacement in Planeview - east of Ross Parkway, north of Rutan. (/602302-C/800901) Does not affect existing traffic. City Council approval date: 3/16/1999. (District III) - \$22,255.00
- J. Transit Authority Labor Union Contract.

RECOMMENDED ACTION: Approve and file.

13. Petitions for Public Improvements:

- a. Construct a sanitary sewer to serve Mediterranean Plaza Addition – south of 32nd Street North, east of Rock. (District II)
- b. Construct a sanitary sewer to serve Lieberman Addition – south of 26th Street South, east of Seneca. (District IV)

RECOMMENDED ACTION: Approve the Petitions and adopt the Resolutions.

14. Minutes of Advisory Boards/Commissions:

CPO East Council 2, 11-18-99

CPO Southeast Council 3, 11-28-99

CPO Northwest Council 5, 11-10-99

Metropolitan Area Planning Commission (MAPC), 9-16-99

Wichita-Sedgwick County Alcohol and Drug Advisory Board (ADABB), 9-23-99

RECOMMENDED ACTION: Receive and file.

15. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

16. Agreements/Contracts:

a. Permit building encroachments – Eaton Project. (District VI)

b. Farm and Art Market improvements and renovations. (District I)

c. United States Geological Survey (USGS) surface water joint funding.

d. Amendment to lease between City of Wichita and Sedgwick County for Pawnee Prairie Nature Center (PPNC). (District V)

e. Amendment with Case, Moses, Zimmerman and Wilson for legal services.

f. Structural inventory and appraisal of 210 bridges.

g. Extension and modification of Contract - victims' rights services.

h. Extension of Contract - domestic violence services.

i. Installation of railroad signals. (Districts I and III)

RECOMMENDED ACTION: Approve the Agreements/Contracts and authorize the necessary signatures.

17. Supplemental Lease and Trust Indenture – Ritchie Companies. (District V)

RECOMMENDED ACTION: Approve first reading of the Ordinance.

18. Change Order – 1999 Contract Street Maintenance Program. (District I)

RECOMMENDED ACTION: Approve the change order.

19. Tenth Street Storm Sewer Outlet. (District I)

RECOMMENDED ACTION: Approve the budget and Contract; and authorize the necessary signatures.

19a. Official Project Requests for System Enhancements.

20. Budget Adjustments:

- a. Health Department Trust Fund.
- b. Police Department.
- c. Planning Department.

RECOMMENDED ACTION: Approve the budget adjustments.

21. Second Reading Ordinances: (First read November 16, 1999)

- a. Industrial revenue bonds - The Boeing Company. (District III)

An Ordinance approving and authorizing the execution of a lease agreement between the Boeing Company and the City of Wichita, Kansas; approving and authorizing the execution of an indenture of trust between said City and Bny Trust Company of Missouri; pledging certain payments under said lease agreement and moneys and securities held by the trustee under the terms of said indenture of trust; authorizing and directing the issuance of industrial revenue bonds Series XIII, 1999 (the Boeing Company Project) of said City in the principal amount of \$155,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of the Boeing Commercial, Airplane Group, Wichita Division, a division of the Boeing Company, a Delaware Corporation, in Sedgwick County, Kansas; designating the trustee and the paying agent for said bonds, authorizing the sale of said bonds and the execution of a bond purchase agreement therefor; approving and authorizing the execution of an administrative service fee agreement; and authorizing the execution and delivery of certain related instruments.

- b. Public nudity Ordinances.

An Ordinance repealing Chapter 3.06 of the Code of the City of Wichita, Kansas, pertaining to erotic dance studios.

An Ordinance repealing Chapter 4.04.080 of the Code of the City of Wichita, Kansas, pertaining to prohibited conduct.

An Ordinance creating Sections 5.68.230, 5.68.240, 2.58.250, 5.28.260, 5.28.270 and 5.28.280 of the Code of the City of Wichita, Kansas, pertaining to public nudity.

Item #21 Continued

c. Kellogg/Tyler and Maize. (District V)

An Ordinance declaring Kellogg (U.S. 54), from one-half mile west of Maize Road to Mid-Continent Road to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements on said main trafficway; setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, repealing Ordinance No. 43-310 of the City of Wichita, Kansas.

d. A 99-30 - north and south of 37th Street North, Between Broadway and Hillside. (Districts I and VI)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-30

e. A 99-34 - east of Hydraulic and north and south of 59th Street South. (District III)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-34

f. A 99-35 - one-quarter mile west of Seneca, between 55th Street South and 63rd Street South. (District IV)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-35

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Items

*22. S/D 99-33 - Plat of BFI Addition Located on the Northwest Corner of West Street and 37th Street North.
(District VI)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the document and Plat; adopt the Resolutions; and authorize the necessary signatures.

- *23. S/D 99-59 Plat of Ridge Port North 2nd Addition Located on the South Side of 37th Street North, on the East Side of Ridge Road. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; and adopt the Resolution.

24. Z-3337 - Request for Zone Change from "B" Multi-Family Residential to "U" University, Located South of Maple and East of Meridian. (District IV)

MAPC Recommendation: Approve.

CPO Recommendation: Approve.

Staff Recommendation: Approve.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change; place the Ordinance establishing the zone change on first reading; OR

2. Return the application to the MAPC for reconsideration.

- *25. Z 3338 - Zone Change Request from Street Right-of-Way to "GO" General Office, Located at the Northeast Corner of Hillside and Gilbert. (District II)

MAPC Recommendation: Approve, subject to Platting within one year and to the requested cross-circulation access agreement being submitted during the Platting process.

CPO Recommendation: Approve, subject to Staff recommendation.

Staff Recommendation: Approve, subject to Platting within one year and to the requested cross-circulation access agreement being submitted during the Platting process.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of Platting and provision of cross-lot; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; OR

2. Return the application to the MAPC for reconsideration.

26. Z 3339 - Zone Change Request from "SF-6" Single-Family Residential to "MH" Manufactured Home, Located West of Meridian and North of 55th Street South. (District IV)

MAPC Recommendation: Deny.

CPO Recommendation: Deny.

Staff Recommendation: Deny.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and deny the application; OR
2. Return the application to the MAPC for reconsideration.

27. Z 3341 - Zone Change Request from "SF-6" Single-Family Residential and "LC" Limited Commercial to "GC" General Commercial; and DP 249 - Approval of the Ewald's South Town Center C.U.P., Located South of 47th Street South Between the Kansas Turnpike (I-35) East of the Riverside Drainage Ditch (900 Feet East of Broadway). (District IV)

MAPC Recommendation: Approve, subject to Platting within one year and to conditions.

CPO Recommendation: Approve, subject to MAPD Staff comments.

Staff Recommendation: Approve, subject to Platting within one year and to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change and C.U.P., subject to the recommended conditions; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; OR
2. Return the application to the MAPC for reconsideration.

Adjournment
